

### **REMARKS**

By this Amendment, claims 1, 3 and 4, claims 6 and 7 are cancelled without prejudice or disclaimer and claim 5 is renumbered accordingly. No new matter is submitted in this Amendment. Claims 1 and 5 are pending.

The Office Action rejected claims 1, 3 and 5 under 35 U.S.C. 103(a) as being obvious from the combined teachings of previously cited Fink (US 6,189,265) in view of Lazorchak. Dependent claims 4 and 6-8 were also rejected for obviousness based on Fink and Lazorchak combined with previously cited references, Foelix et al (US 4,148,377; hereafter "Foelix") and Bittner et al. (US 2005/0173219; hereafter "Bittner"), respectively. Applicant submits that the rejection of claims 3-4 and 6-8 is moot as a result of their cancellation.

Applicant traverses the rejection of claims 1 and 5 because Fink, analyzed individually or in combination with Lazorchak, Foelix and Bittner, fails to teach or suggest all the features recited in the rejected claims. For example, the cited prior art fails to teach or suggest the claimed invention wherein the releasable coupling is configured to operate by a linkage having a dead center position between a released position of the linkage and a locked position of the linkage and the linkage has a swiveling lever which can be swiveled about a lever axis, wherein first arm of the swiveling lever is connected to the lifting magnet, and a second arm carries rollers with an axis of rotation parallel to the lever axis, wherein the lever is configured to move a movable part of the releasable coupling between the released and locked positions, and the dead-center position is reached when a connection plane between an axis of rotation of the rollers and the lever axis is parallel to the moving direction of the movable part of the releasable coupling.

The subject matter of now cancelled claim 4 has been incorporated into independent claim 1 and Applicant submits that this subject matter is patentable over the cited prior art for the following reasons. The Office Action asserted that the subject matter recited in now cancelled claim 4 is not patentable over Fink and Lazorchak in view of Foelix. More specifically, the Office Action previously asserted that Foelix discloses an actuator that has a locking mechanism with a roller (17) that reads on the subject matter of now cancelled claim 4.

However, that subject matter now incorporated in independent claim 1 requires a dead-center mechanism with two end positions of the lever, which is very different from the spindle

18 with a plurality of circular rims 16. As explained in Applicant's specification, the claimed invention requires a releasable coupling configured to operate by a linkage having a dead center position between a released position of the linkage and a locked position of the linkage. The linkage has a swiveling lever which can be swiveled about a lever axis, wherein first arm of the swiveling lever is connected to the lifting magnet, and a second arm carries rollers with an axis of rotation parallel to the lever axis, wherein the lever is configured to move a movable part of the releasable coupling between the released and locked positions; the dead-center position is reached when a connection plane between an axis of rotation of the rollers and the lever axis is parallel to the moving direction of the movable part of the releasable coupling. As shown in Applicant's figures, the two positions are, seen in the direction of the rotational axis 1, in different positions to each other, one lifting the clutch, the other closing it.

Applicant also notes that, in accordance with the claimed invention, under all circumstances, the rollers 10 of the dead-center-mechanism are always in contact with the non-rotatable toothed disc 3; thus, the lever is always under some pressure (force) in this direction, which has to be countered by bearing axis 12 and lifting magnet 8 (either activated or not, always through its housing to the frame).

To the contrary, none of Foelix's rollers 17 contact the periphery of the base plane of the comb-like counterpart 27, 28. This is because, the rollers 17 are only used to minimize the friction during the engaging-deengaging movement, as clearly illustrated in Foelix's Fig. 1. Thus, the only remarkable forces in Foelix are in the direction of the axis 12, which is the direction the whole mechanism moves during the opening and closing of the cabin door and thereby the station door. Contrary to this, the only remarkable force acting at the mechanism according to the original claim 4 of the invention acts on the periphery of the rollers 10, perpendicular to their axis.

As a result, Foelix fails to teach or suggest the claimed invention that requires a releasable coupling configured to operate by a linkage having a dead center position between a released position of the linkage and a locked position of the linkage, wherein the linkage has a swiveling lever which can be swiveled about a lever axis, wherein first arm of the swiveling lever is connected to the lifting magnet, and a second arm carries rollers with an axis of rotation parallel to the lever axis, and wherein the lever is configured to move a movable part of the

releasable coupling between the released and locked positions and the dead-center position is reached when a connection plane between an axis of rotation of the rollers and the lever axis is parallel to the moving direction of the movable part of the releasable coupling

The other cited prior art references fail to remedy these deficiencies of Foelix. Accordingly, the prior art fails to teach or suggest the claimed invention as recited in claim 1.

For all of the above reasons, withdrawal of the rejection of claims 1 and 5 is respectfully requested. In view of the above, it is submitted that all of the pending claims are in condition for allowance and such action is respectfully requested. If there is any issue remaining to be resolved, the examiner is invited to telephone the undersigned at (202) 371-6371 so that resolution can be promptly effected.

It is requested that, if necessary to effect a timely response, this paper be considered a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees, being charged, or any overpayment in fees being credited, to the Account of Barnes & Thornburg LLP, Deposit Account No. **02-1010 (566-43619)**.

Respectfully submitted,

**BARNES & THORNBURG LLP**

*/ Christine H. McCarthy /*

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Christine H. McCarthy  
Reg. No. 41,844  
Tel. No.: (202) 371-6371

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Barnes & Thornburg LLP  
Suite 900  
750 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20006  
Tel. No.: (202) 289-1313  
Fax No.: (202) 289-1330